

Application No. 10/ 674,426
Amendment Dated October 28, 2005
Reply to Office Action of July 28, 2005

REMARKS

The Applicant would like to thank Examiner Loftin and Primary Examiner Joy Contee for the courtesies extended to Applicant's representative during a personal interview on October 25, 2005. During the interview, the parties discussed differences between the claimed invention and the applied references. Specifically, the Examiners clarified their position regarding the Kennedy III reference (U.S. patent number 6,535,743, referred to as "Kennedy III").

As in initial matter, the Examiners informed the Applicant that the citation of the primary reference on the Office Action is incorrect. The Office Action cites Kennedy III as U.S. patent application publication number US 2003/091260218. *See* First Office Action on the Merits, page 2, paragraph number 3. However, during the interview, the Examiners informed the Applicant that the actual reference applied in that Office Action is the Kennedy III patent noted above.

During the interview, the Examiners shared their interpretation of Kennedy III as applied in the First Office Action. The Examiners indicated that the first voice network 106, second voice network 108 and Public Switched Telephone Network 104 of Kennedy III was considered the "first communication system" of claim 1; that data network 20 and global computer network 98 of Kennedy III was considered the "second communication system" of claim 1; and given these two alleged communications systems, NSC 122 of Kennedy III facilitates communication between the first and second alleged communication systems. For many reasons, the Applicant respectfully disagrees with those positions taken during the interview and also with the positions taken in the Office Action.

To summarize the outstanding Office Action, all of the pending claims 1-20 have been rejected as either being anticipated by Kennedy III or rendered obvious by Kennedy III in view of another reference. Clearly, the key reference relied on by the Examiner in

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rejecting the pending claims is Kennedy III. Claim 11 has been rejected as being indefinite under 35 U.S.C. §112, second paragraph, and claim 11 has also been rejected on the merits. Claim 11 has been amended with an eye towards overcoming the indefiniteness rejection.

Regarding the rejections on the merits, the Applicant respectfully traverses all of these rejections. Even if the Examiner's interpretation of Kennedy III is followed, Kennedy III still does not teach a first communications system *communicating* with a second communications system as required by the claims. In the Office Action, the Examiner states that these communications are facilitated by NSC (Network Switching Center) 122. The Office Action cites column 12, lines 44-46 of Kennedy as teaching this feature. As noted above, the Examiners explained during the interview that they viewed the first voice network 106, second voice network 108 and Public Switched Telephone Network 104 of Kennedy III to be the "first communication system;" and that data network 20 and global computer network 98 of Kennedy III was considered the "second communication system;" and that NSC 122 allowed PSTN 104 to communicate with data network 20. The Applicant respectfully disagrees with this position.

The portion of Kennedy noted by the Examiner does not teach communications between a first communication system and a second communication system, but rather, teaches the concept of broadcasting a message to a number of mobile units. *See* Kennedy III, column 12, lines 36-38. In the context of broadcasting this message, the service center determines if a particular mobile unit is specified for receipt of the broadcast message. The service center does this by comparing some identifier associated with the mobile device with a stored identifier associated with the broadcast message. This broadcast system does not teach the concept of facilitating communications between two communications systems that are associated with a vehicle. Even under the Examiner's interpretation of Kennedy III, there is no communication between PSTN 104 and data network 20. Instead, Kennedy III teaches that NSC 122 can send information

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using either PSTN 104 or data network 20. Thus, Kennedy III does not teach or render obvious the communications limitations of either claim 1 or claim 13.

During the interview, the Examiners indicated their belief that somewhere in Kennedy III, there would be a teaching of two communications systems communicating with each other to determine which one could communicate with the user interface of Kennedy III (see item 22, Figures 1 and 2 of Kennedy III). The Applicant respectfully disagrees that a further study or analysis of Kennedy III would reveal such a teaching.

In Kennedy III, user interface 22 is discussed in the following passages: Column 3, line 54 to column 4, line 22, gives a general overview of the major components of Kennedy's communication system 10, including a general description of user interface 22. Column 7, lines 47-65 provides a description of the interaction between user interface 22 and computing device 30. Column 9, lines 28-65 provides a general description of the operation of user interface 22. After that passage, a description of some specific operations follows. Column 13, lines 21-30 provides a detailed description of the physical embodiment of user interface 22. The remaining portions of the specification sporadically mention user interface 22, usually in the context of noting that some information has been sent to user interface 22 or that some information has been received from user interface 22.

After studying these descriptions of user interface 22, it becomes clear that Kennedy III provides no express teaching or implication of two different communications systems communicating with one another to determine which one of two communications systems can use user interface 22.

The remaining claims are also not taught or rendered obvious by Kennedy III. The Office Action does not prove or demonstrate the features recited in those claims. In particular, the Examiners indicated that dependent claim 9 is not taught or rendered obvious by Kennedy III.

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New independent claim 28 requires a first communication system disposed onboard the motor vehicle, a second communication system disposed onboard the motor vehicle and where the first communication system communicates with the second communication system using resources located onboard the motor vehicle. New claim 28 is also allowable over Kennedy III because Kennedy III fails to teach or render obvious two onboard communications systems that communicate with one another using resources that are also onboard a motor vehicle.

In view of the foregoing, all of the pending claims in this application are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for allowance, the Examiner is encouraged to contact applicant's representative at the number listed below.

Respectfully submitted,

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